

REMARKS

Summary Of The Office Action & Formalities

Status of Claims

Claims 1-8 and 10-15 are all the claims pending in the application. By this Amendment, Applicant is canceling claim 5, amending claims 1 and 14, and adding new claims 16-19. No new matter is added.

Additional Fees

Submitted herewith is a Petition for Extension of Time with fee.

Claim Rejections - § 112

Claim 2 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The “at least one elastically deformable lip” has confusing antecedent basis in claim 1 with the claimed “two deformable lips”

Office Action at page 2.

Applicant is amending the claim to overcome this rejection.

Art Rejections

1. Claims 1-8 and 10-14 are rejected under 35 U.S.C. § 102(b) as being anticipated by Corsette et al. (US 3,248,021, “Corsette”).

2. Claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Corsette in view of Kosar (US 3,428,208).

Applicant respectfully traverses.

Claim Rejections - 35 U.S.C. § 102

Claims 1-8 And 10-14 In View Of Corsette et al. (US 3,248,021, "Corsette").

In rejecting claims 1-8 and 10-14 in view of Corsette et al. (US 3,248,021, "Corsette"),
the grounds of rejection state:

In Reference to Claims 1, 7 and 14

In Figs. 1, 4 and col. 2, lines 43-64, Corsette teaches of a fastener ring (14) connecting a dispenser member (dispenser (pump)) to a neck (26) of a receptacle (container) containing a fluid (liquid), the fastener ring having a deformable sealing means / member (V-shaped groove 75) cooperating with the neck in a leak-tight manner (col. 2, line 64), the sealing means comprising two deformable lips (outer and inner walls defining groove 75), said neck (26) has an axially projecting portion (annular lip of the container neck; col. 2, lines 43-37) cooperating with the two deformable lips of the fastening ring sealing means (75). In Fig. 1, the lip of the container neck can be seen having a rounded edge profile cooperating with the outer and inner walls defining the sealing means / member (groove 75) forming a leak-tight contact zone sloping at least in part.

In Reference to Claims 2, 3, 4, 8, and 11

The lips (outer and inner walls defining groove 75) are: elastically deformable (flex; col. 2, lines 53 and 63), made integrally with the fastening ring (cast integrally; col. 2, lines 40-41), injection molded with the fastening ring (injection molding operation; col. 2 lines 42-43), fasten the dispenser in a leak tight manner to the receptacle (effect a seal; col. 2, lines 44-47), and compensates for dimensional variations in the neck of the receptacle (col. 2, lines 59-64).

In Reference to Claim 5

A snap fastener means (protuberance 22) includes a contact surface that cooperates with a shoulder surface (annular rib 25) (col. 2, lines 29-33).

In Reference to Claim 6

The fastener ring (14) is made integrally with a turret (skirt 85) and with a ferrule (annular lip 92) defining a rest position of the dispenser member (35).

In Reference to Claim 10

The neck (26) has an axially projecting portion (lip of the container neck; col. 2, lines 43-37) cooperating with the sealing means (75). In Fig. 1, the lip can be seen having a rounded edge profile cooperating with the outer and inner walls defining the sealing means (groove 75) forming a leak-tight contact zone sloping at least in part.

In Reference to Claims 12-13

The dispensing member is a pump (col. 3, lines 18-24).

Office Action at pages 3-4.

Applicant has amended claims 1 and 14 to add subject-matter of claim 5, which recites that the fastener ring includes snap-fastener means including a contact surface that is adapted to co-operate with a shoulder surface of said neck of the receptacle, so as to fasten the dispenser member on said receptacle, said contact and shoulder surfaces being substantially radial. Claims 1 and 14 are also amended to remove the language directed to the axially projecting portion.

Corsette does not disclose or suggest a substantially radial contact surface on the ring and a substantially radial shoulder surface on the neck.

As with classical snap-fit systems, the surfaces are angled or sloped with respect to the radial (i.e. horizontal) direction (see figures 1 and 4), being formed by rounded surfaces. Accordingly, any pulling force on the ring 14 would thus provide release of the snap-fit.

To the contrary, with substantially radial surfaces as required by claims 1 and 14, the snap-fit is much stronger and generates an axial snap-fastening force that favors sealing of the assembly. See, e.g., description at page 4, line 32 to page 5, line 6 of the current specification.

In view of at least the foregoing differences, the claims are believed to be allowable over Corsette and the Examiner is kindly requested to reconsider and withdraw the rejections.

New Claims

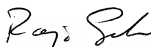
For additional claim coverage merited by the scope of the invention, Applicant is adding new claims 16-19, which are allowable at least by reason of their respective dependencies.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Raja N. Saliba
Registration No. 43,078

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: November 9, 2009